

**CITY OF ALBERT LEA
PLANNING COMMISSION
ADVISORY BOARD**

October 5, 2021 – 5:30 p.m.
City Center

AGENDA

- A. CALL TO ORDER AND ROLL CALL

- B. APPROVAL OF THE AGENDA

- C. APPROVAL OF MINUTES
 - a. September 7, 2021

- D. PUBLIC HEARINGS
 - a. Conditional Use Permit for 750 Front Street E

- E. NEW BUSINESS

- F. COMMISSIONER COMMUNICATIONS

- G. STAFF COMMUNICATIONS

- H. ADJOURNMENT

MINUTES OF THE ALBERT LEA PLANNING COMMISSION

Regular Meeting
September 7, 2021
5:30 pm – City Center

Chairman Lucas Schuster called the meeting to order at 5:30 pm.

MEMBERS PRESENT

Colby Cunningham
Jared Dawson
Lucas Schuster, Chairman
Steve Thompson
Matt Dorman
Larry Baker – Ex Officio

MEMBERS ABSENT

Wyeth Anderson
Chuck Paczowski

STAFF PRESENT

Wayne Sorensen, Building and Zoning Administrator

APPROVAL OF AGENDA

Motion by Thompson and second by Cunningham to approve the agenda. Motion carried.

APPROVAL OF MINUTES

Motion by Schuster and second by Dorman to approve the April 6, 2021 meeting minutes as presented. Motion carried.

PUBLIC HEARINGS

a. Conditional Use Permit for 423 Adams Avenue

Sorensen explained that Turning Point Real Estate has applied for a Conditional Use Permit to redevelop and reuse the property at 423 Adams Avenue for multi-family housing. Sorensen reviewed the staff report prepared by City Planner Megan Boeck. Sorensen also stated that the application meets the requirements for the Planned Development district, noting that this property was re-zoned from Limited Industrial (I-1) to Planned Development (PD) in March of 2021.

Lastly, Sorensen stated that review staff had concerns that there is not adequate parking space with the traditional straight parking stalls. Staff recommends that should the Planning Commission recommend approval of the proposed CUP, the following conditions be applied:

- 1) All parking stalls provided on-site shall be 9-feet wide and diagonal to allow for adequate parking space and for there to be enough room for traffic to pass through the alley.
- 2) There shall be no on-site parking allowed except for within the 20 parking stalls provided on the north side of the property. Parking stalls shall be clearly marked and striped.
- 3) Any building space rented for a commercial business or use shall be compatible with the on-site residential use.

Schuster opened the hearing to the public at 5:40 pm.

Keith Duncan – Questioned which properties were all included in the proposal. He had complaints of the rental properties in the area that are unkempt and the traffic in the area. He stated he was opposed to the proposed CUP.

Eric Kylo (Turning Point Real Estate) – Acknowledged Duncan’s concerns and commented on the crime in the area. He stated his intention is to renovate the existing building and improve the property.

Fred Campbell – Questioned if they are planning to use the existing building or demolishing and constructing a new one.

Cunningham asked if there are current renters in the building and Sorensen confirmed that it is empty. Kylo of Turning Point Real Estate explained that Almco rents the bottom portion of the building and it is used for storage.

Schuster appreciated the added condition for parking to be diagonal for easier maneuvering.

Schuster closed the hearing to the public at 5:44pm.

Motion by Schuster and second by Thompson to recommend to City Council the approval of a Conditional Use Permit for 423 Adams Avenue with the following conditions:

- 1) All parking stalls provided on-site shall be 9-feet wide and diagonal to allow for adequate parking space and for there to be enough room for traffic to pass through the alley.
- 2) There shall be no on-site parking allowed except for within the 20 parking stalls provided on the north side of the property. Parking stalls shall be clearly marked and

striped.

- 3) Any building space rented for commercial business or use shall be compatible with the on-site residential use.

Motion carried on a 5-0 voiced vote.

b. Zoning Amendment from One-Four Family Residence District (R-2) to Diversified Central District (DCD) for PID 34.118.0240 (722 Fountain St)

Sorensen stated that Shannon Vandersyde requests re-zoning the property at 722 Fountain Street from R-2 to DCD to allow for additional parking space adjacent to the Little Hair Place located at 726 Fountain Street. He noted that the property at 726 Fountain Street was re-zoned from R-2 to DCD in 2017.

Sorensen explained that the purpose of the Diversified Central District (DCD) is an extremely versatile zone meant for living, working, recreation, and retail all in one mixed area.

Sorensen added that there would be no additional entrance allowed off Fountain Street to the lot. The current access is off the back alley and can remain as such if it is re-zoned or the applicant may create a drive to connect to the property at 726 Fountain Street, however they would then have to isolate the access off the alley.

Sorensen explained that if the re-zone request is approved, this lot could establish any of the 17 permitted commercial uses as stated in Section 50.0811.

Schuster opened the hearing to the public at 6:16 pm.

Lenore Fries – Stated she is not in favor of the re-zone request. She noted that she does not want to see a residential neighborhood turn in to a commercial area. She questioned why the applicant needed the additional parking space for the very small existing building at 726 Fountain Street. She expressed concerns of additional traffic with many children in the area and the narrow alley. She questioned the intention of the property in the future.

Gary Oachs – Stated he was opposed to the zoning amendment for a parking lot. He questioned why the business needed a parking lot when it was for sale for some time. He commented on the narrow alley and additional traffic. He also questioned the intentions of the property in the future.

Schuster closed the hearing to the public at 6:31 pm.

Motion by Thompson and second by Dorman to recommend to City Council the approval of the request to re-zone the property at 722 Fountain Street from One-Four Family Residence

District (R-2) to Diversified Central District (DCD). Schuster and Dorman voted Nay. Motion carried on a 3-2 voice vote.

NEW BUSINESS

None.

COMMISSIONER COMMUNICATION

None.

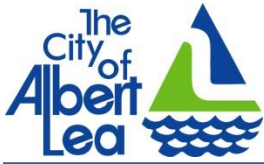
STAFF COMMUNICATION

None.

Motion by Cunningham and second by Dorman to adjourn the meeting at 7:02 pm. Motion carried.

Cierra Maras, Planning Commission Secretary

Lucas Schuster, Chairman



GENERAL INFORMATION

Applicant: Albert Lea Apartments, LLC (Unique Opportunities)
 Property Owner: City of Albert Lea
 Purpose: A Conditional Use Permit (CUP) for a 48-unit multifamily housing development
 Address: 750 Front Street E
 Parcel Number(s): 34.477.0010
 File Date/Publication Date: September 25, 2021

Subject Site:

<i>Existing Land Use</i>	<i>Zoning</i>
...	PD

Adjacent Land Use and Zoning:

<i>Existing Uses</i>		<i>Zoning</i>
North	...	PD
South	Parks/Recreation	PD
East	...	PD
West	Parks/Recreation	PD

BACKGROUND

Albert Lea Apartments LLC has applied for a Conditional Use Permit (CUP) to develop a 3.41-acre property at 750 Front Street E—known locally as the Blazing Star Landing. Phase one of the proposed project includes 48-units of multifamily housing, 15 garage stalls, parking, open space and proper stormwater retention. If successful, two additional phases of multi-family development are expected on the remaining east portion of property. The developer, Unique Opportunities of Fergus Falls, MN, provided the City of Albert Lea with an official end user, which in turn made the City eligible for MN DEED Contamination and Cleanup Funds. In early 2021, the City was awarded 1.4 million dollars in funding and cleanup efforts began in the summer of 2021.

A development and purchase agreement has been executed in relation to the sale and development of this property. A closing date is scheduled for October 15, 2021, pending approval of this application.

POLICY CONSIDERATIONS

Zoning Sec. 50.0619. – Uses generally.

All uses within the Planned Development District shall be Conditional Uses.

- (1) Multiple dwelling units.

Zoning Sec. 50.0618. – General requirements.

General requirements for PD planned development district are as follows:

- (1) *Ownership.* The applicant has acquired actual ownership or executed a sales contract.**
The City of Albert Lea executed a purchase and development agreement for this parcel on September 21, 2021.
- (2) *Minimum size.* No planned development may include less than three (3) acres of contiguous land.**
The property in question is 3.41 acres.
- (3) *Maximum development intensity.* No more than fifty (50) percent of the net land area of the subject tract may be developed (covered) with principal and accessory buildings.**
The development includes 16,565 sq. ft. in principal structures and 4,500 sq. ft. in accessory structures. This equates to just over 14% of the total net land area.
- (4) *Comprehensive plan.* The development should be planned so that it is consistent with the comprehensive plan for the community.**
The existing 2030 Comprehensive Plan identifies the property in question as reinvestment and redevelopment (page 26) of which the purpose is to prioritize new growth through redevelopment and infill.
- (5) *Harmony.* The planned development should be planned and developed to harmonize with any existing or imminent development in the area surrounding the project site.**
The proposed multi-family redevelopment is in harmony with the surrounding area— other multi-family structures such as Trailside Apartments are within close proximity.
- (6) *Open space.* A minimum of twenty (20) percent of the total land area shall be development for open air and useable landscaped open spaces which shall be made an integral part of the plan. Such space should be effectively separated from automobile traffic and parking and readily accessible. The term “open space” does not include space devoted to streets and parking.**
The attached site plan indicates that about 49.98 percent of the site is covered in impervious surfaces (buildings/pavement) which leaves 50.02 percent as open air or open spaces.
- (7) *Density.* For a planned development district, within which residential uses are proposed, a maximum increase in density of fifty (50) percent of the permitted density of the residential zoning district existing on the site may be allowed.**
This code would apply to sites that were originally residential in nature and does not apply to this application as the property has been vacant many years and the previous use of this property was commercial business.

ANALYSIS

Zoning Sec. 50.0622. – Preliminary development plan approval.

Section (d) states that the Planning Commission shall base its findings on the following:

(1) The plan is consistent with the objectives of planned developments.

The purpose of the Planned Development District as stated in Sec. 50.0617. – Purpose. (3) is to stimulate opportunities for better housing and recreation.

(2) The relationship, beneficial or adverse, of the proposed planned development to the area in which it is proposed to be developed.

Developments where retail or service businesses are located within close proximity to residential housing is known to increase economic vitality by strengthening the tax base, job market, and business opportunities. This development will work to provide affordable living opportunities conveniently located within walking distance to Albert Lea's Aquatic Center, Frank Hall Park, Kwik Trip, and Albert Lea's Historic Downtown.

(3) The proposed distribution of buildings, street, and open space will permit better site planning and thus benefit both the residents or users of the development and the community as a whole.

The property is situated near two main thoroughfares—Broadway Avenue and East Main Street, which will provide residents with proper access to public transportation needs. In addition, the property is directly tied into the City's sidewalk and trail system with walking and biking access to the downtown district and other areas of park and recreation.

(4) Such distribution or location will not unduly increase the bulk of buildings, density of population or employment, or intensity of use to the detriment of areas outside the development by restricting access to light and air or by creating traffic congestion.

The property in question is part of a larger 33-acre property that was once home to a large meat packing plant. At one point, nearly 400 people accessed this site each day for employment. Although vacant for a number of years, the property is well situated to handle the bulk of any development. The density or population will increase with the proposed use providing housing but not to the scale in which it will cause a detriment to the area. The proposed development is surrounded by adequate access to transportation nodes so congestion will not be an issue.

The proposed development does increase impervious surface amounts by a percentage greater than allowed in the Shoreland Management District. However, the lot size of this property was reduced significantly in order to protect an existing stormwater line (*image attached*) and also to maintain a public access to the channel. Had this area not been separated, the parcel most likely would mostly conform to Shoreland Management impervious requirements. Additionally, if phase two and phase three are completed, efforts will be made to reduce impervious amounts and comply with normal Shoreland Management Standards.

FINDINGS OF FACT

1. The proposed development is consistent with the 2030 Comprehensive Plan.
2. The proposed development meets the conditions of Planned Development District related to density, size, open space, and greenspace.

3. The proposed development is compatible with the surrounding uses and will not negatively impact the public health, safety and welfare of the surrounding area.

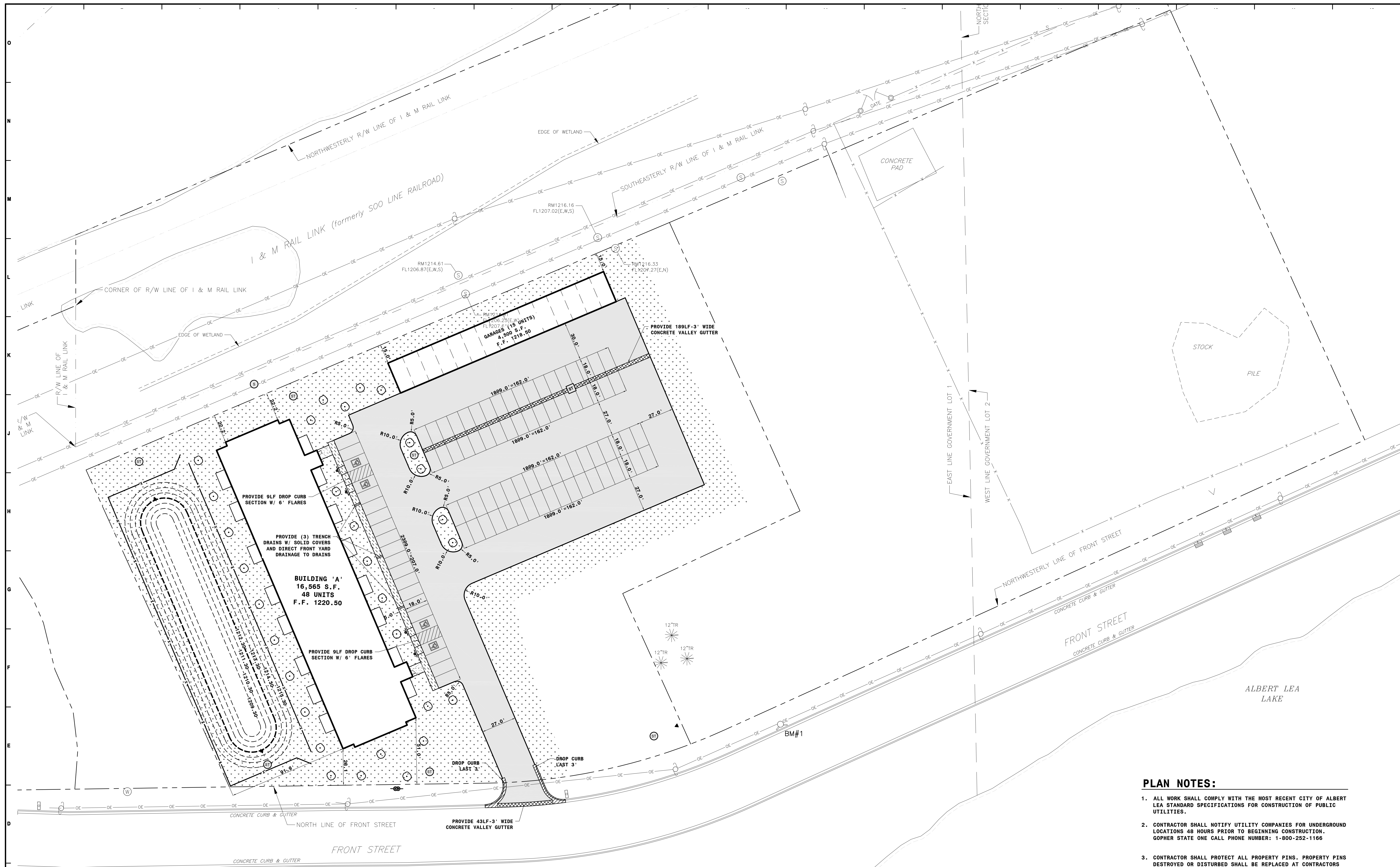
STAFF RECOMMENDATION

Staff recommends approval of the proposed CUP with the following conditions:

- 1) Proper maintenance of greenspace and paved parking areas.
- 2) No parking or storage of any unlicensed and/or inoperable vehicles.

Attachments

1. Site Plan
2. Aerial image- stormwater line and channel access



REVISION SCHEDULE		
NO.	DESCRIPTION	DATE
1	BLDG REVISION	4-28-21
2	CITY REVIEW	9-27-21



PLAN NOTES:

- ALL WORK SHALL COMPLY WITH THE MOST RECENT CITY OF ALBERT LEA STANDARD SPECIFICATIONS FOR CONSTRUCTION OF PUBLIC UTILITIES.
- CONTRACTOR SHALL NOTIFY UTILITY COMPANIES FOR UNDERGROUND LOCATIONS 48 HOURS PRIOR TO BEGINNING CONSTRUCTION. GOPHER STATE ONE CALL PHONE NUMBER: 1-800-252-1166
- CONTRACTOR SHALL PROTECT ALL PROPERTY PINS. PROPERTY PINS DESTROYED OR DISTURBED SHALL BE REPLACED AT CONTRACTORS EXPENSE.
- CONTRACTOR SHALL MAINTAIN TEMPORARY EROSION CONTROL UNTIL PERMANENT EROSION CONTROL IS ESTABLISHED.
- IF THE LAND BOUNDARY DENOTED ON THE PLANS ENCOMPASSES ONE (1) ACRE OR MORE, A GENERAL PERMIT FOR THE AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/STATE DISPOSAL SYSTEM (NPDES/SDS) PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR AND OWNER FROM MINNESOTA POLLUTION CONTROL AGENCY (MPCA) A MINIMUM OF SEVEN (7) DAYS PRIOR TO CONSTRUCTION.
- ALL PAVEMENT MARKED FOR DEMOLITION SHALL BE FULL DEPTH SAW CUT PRIOR TO REMOVAL.
- ALL GRASSED AREAS DISTURBED BY CONSTRUCTION SHALL BE TOPSOILED (6" DEPTH), GRADED, SEED, AND HYDRO-MULCHED.

BENCHMARKS:

- THE TOP NUT OF THE FIRE HYDRANT
ELEV: 1220.42

SYMBOL LEGEND:

	EXISTING PROPERTY LINE		NEW GATE VALVE
	EXISTING STORM CATCH BASIN		NEW SANITARY MANHOLE
	EXISTING SANITARY MANHOLE		NEW STORM CATCH BASIN
	EXISTING WATER MANHOLE		NEW STORM MANHOLE
	EXISTING FIRE HYDRANT		NEW FLARED END SECTION
	EXISTING POWER POLE		NEW 4" REINFORCED CONCRETE SIDEWALK
	EXISTING SIGN		NEW THICKENED EDGE REINFORCED CONCRETE SIDEWALK
	EXISTING TREE		NEW 5" ASPHALT PAVEMENT
	EXISTING FENCE		NEW TYPE 1 STANDARD CONCRETE CURB & GUTTER
	EXISTING OVERHEAD POWER LINE		NEW 3" WIDE CONCRETE VALLEY GUTTER
			NEW CONTOUR
			NEW TREE
			NEW GRASS TURF AREA

SITE INFORMATION

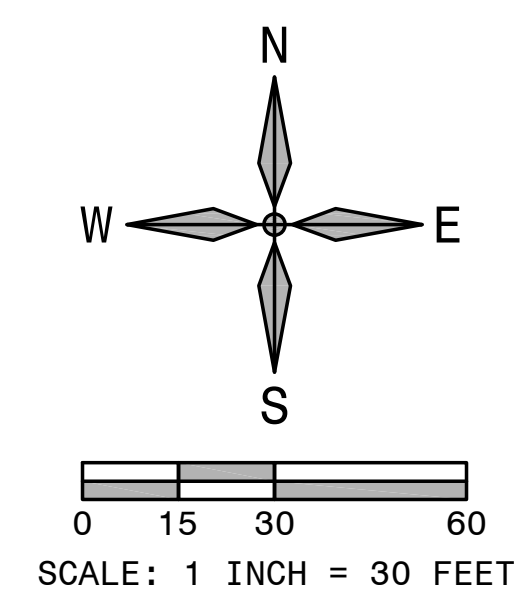
BUILDING 'A' LOT SIZE: 148,694 S.F. (3.41 ACRES)
 IMPERVIOUS AREA:
 BUILDING 'A' AND PATIOS: 17,350 S.F.
 SITE PAVEMENT: 44,230 S.F.
 GARAGES: 4,500 S.F.
 POND AT NWL: 7,500 S.F.
 TOTAL IMPERVIOUS: 73,580 S.F. (49.48%)

ZONING REQUIREMENTS:

ZONING: 'PD' DISTRICT - PLANNED DEVELOPMENT
 FRONT SETBACK: 28.1' (SHOWN)
 REAR SETBACK: 22.2' (SHOWN)
 INTERIOR SIDE SETBACK: 91.7' (SHOWN)

LANDSCAPING SCHEDULE:

CODE	PLANT TYPE	QUANTITY
	LARGE DECIDUOUS TREE, 2.5" CAL	
	LARGE CONIFEROUS TREE, 2.5" CAL	
BSP	BLACK SPRUCE	5
NIC	NORTHERN WHITE CEDAR	5
RP	RED PINE (NORWAY PINE)	5
NAH	NORTHERN ACQUAIN HONEYLOCUST	5
BM	BLACK MAPLE	5
WO	WHITE OAK	5
	*NOTE: OWNER TO FIELD VERIFY LOCATION OF EACH TREE SPECIES PRIOR TO INSTALLATION	
	TOTAL	30



I hereby certify that this drawing, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Print Name: ANTHONY K. EUKEL
 Signature: *[Signature]*
 March 19, 2021 License No. 48885



PROJECT NUMBER: -

SITE PLAN

Length: 1,950 feet
Area: 2.108 acres
Clear

